

REMARKS

Favorable reconsideration and allowance of this application are requested.

1. Response to Abstract Objection

The Abstract has been amended so as to address the objections to the specification. In addition, claim 9 has been amended so as to be in conformance with the specification on page 53, second sentence.

2. Response to Claim Objections and Rejections under 35 USC §112

The claims have been revised so as to address the objections and rejections advanced under 35 USC §103(a). In this regard, it will be observed that the subject matter of claim 4 has been introduced into claims 1, 13 and 20. The fact that the cutting blade (18, 58) is at least mainly cylindrical in form is also explained e.g. in paragraph 21 of the published application. The word "cylindrical" has been added to various places in the claims in order to make it more clear which blade is meant. The new feature in claim 1, i.e., "the cylindrical cutting blade having a diameter which is sufficiently large to allow the gripping means to operate inside the cutting blade" is also supported by paragraph 21.

The feature "the diameter of the cylindrical blade is 1000—4000 mm" has been introduced as a new dependent apparatus claim 4. The same idea is also added into the method claim 20. This is supported e.g. in paragraph 21.

Several features have been added to method claim 13, specifically that the work machine is arranged to provide hydraulic pressure for the operation of the stump grubber, and that the release of the stump (38) and the severing of the roots (46) is carried out using only the hydraulic pressure supplied from the work machine. Support for such features can be found in paragraph 19 of the published application.

Claim 21 is new and recites the embedded preferred range present in prior claim 12.

It is therefore believed that all objections and rejections advanced under 35 USC §112 have been rendered moot.

Thus, following entry of this Amendment, claims 1-18 and 20-21 will remain pending herein for consideration.

3. Response to 35 USC §103(a) Issues

The only issues remaining to be resolved in this application are the rejections advanced under 35 USC §103(a). In this regard, prior claims 1-12 attracted a rejection under 35 USC §103(a) as being unpatentable over Hill et al 9USP 5, 441,090) in view of Nicholson (USP 4,517,755). Claims 13-18 and 20 were rejected separately under this same statutory provision as allegedly unpatentable over Hultdin et al (USP 3,851,686) in view of Hill and Nicholson. Applicants suggest that none of the applied references are appropriate against the presently pending claims.

In this regard, applicants note that none of the applied references teaches or suggests a circular or cylindrical cutting blade as now defined in the independent claims. The diameter of the cutting blade is arranged large enough to allow the gripping means to operate inside the blade as stated in independent claims 1 and 13. Or, as stated in claim 4 and independent claim 20 the diameter is 1000—4000 mm. The advantages of this arrangement are stated in the application text, e.g. on paragraphs 21-24. Especially in paragraphs 23 and 24 it is clearly explained why this circular blade is good when fighting root rot and other fungus diseases. Contrary to what the Examiner states about claim 20, the solution of Hultdin cannot satisfactorily, if at all, prevent a fungus disease. The hole made in to the ground by the blades of Hultdin is too small to stop spreading of fungus diseases.

None of the applied references presents a solution where the release of the stump and the severing of the roots are carried out using only the hydraulic pressure supplied from the work machine, as is defined in the method claim 13. In contrast, all the cited prior art solutions need the lifting power of the boom of a working machine in order to lift the stump out of the ground. The references therefore do not suggest at all a solution provided by the present invention wherein the ground is used as a support for the lifting.

In view of the amendment and remarks presented above, all claims now pending in this application are in condition for allowance. Early notification of allowance is therefore solicited.

4. Fee Authorization

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

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